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DEPARTMENT FOR WHA/CEN, WHA/PPC, INR/LP AND P/M;  
SOUTHCOM ALSO FOR FPA

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SUBJECT: COSTA RICA APPROVES NEXT ROUND OF US SHIP VISITS;  
APPROVAL PERIOD EXTENDED TO NOVEMBER 2007

11. (SBU) SUMMARY: On May 17, the National Assembly approved the next round of U.S. Coast Guard and Navy ship visits, as required under the Costa Rican constitution. The approval period runs from May 1 to November 30, 2007, an extension from the quarterly approvals of the past. Any U.S. vessel not on the approved list (of 14 USCG cutters and four USN frigates, see para 7) will require stand alone legislative approval to visit Costa Rica. The extended approvals were requested by the GOCR and capped our behind-the-scenes lobbying campaign over the past six months. These votes clear the way for ship visits until after the CAFTA referendum, which is good news by itself, and may lead to even less stringent visit approval requirements in the future. US Coast Guard and Navy participation remains essential to the success of the Joint Maritime Agreement with Costa Rica. END SUMMARY.

12. (U) On May 17, the National Assembly approved the next round of U.S. Coast Guard and Navy ship visits, as required under the Costa Rican constitution. Proponents in the legislature (such as Libertarian Evita Arguedes) were more active than in similar debates in the past, stressing the counternarcotics successes achieved under the Joint Maritime Agreement and the direct cost benefit to ports of call from U.S. ship visits. Minister of Public Security Fernando Berrocal's cover letter to the Assembly, which cited the joint counternarcotics successes since the start of the Arias administration, was also helpful. Berrocal explicitly asked that the Assembly approve visits over the next six months, instead of the next three, which had been past practice.

13. (U) The request for a longer approval period did not spark unusual polemics. Debate proceeded along familiar lines, with routine votes taking place once opponents (such as Frente Amplio's Jose Merino) made their usual lengthy speeches opposing visits by U.S. "warships" and questioning whether the narcotics flow through the region was really a Costa Rican concern. The final vote count was 42-3 in favor of the Coast Guard visits; 30-16 in favor of the Navy visits. (The Navy visit list always draws a few more no votes.) The new approval period will last until November 30, 2007. There was little media coverage of the issue.

14. (SBU) This vote caps our behind-the-scenes lobbying campaign over the past six months, which was highlighted by Berrocal and the Ambassador hosting key legislators (and media) aboard the USCGC Rush in Golfito in January. The legislators themselves were tired of the hours spent listening to the usual opponents make the usual arguments

while other key bills were pending. Other navies' warships, with only tangential impact on the drug trade or immigration smuggling, usually receive pro forma approval. Proponents thus asked why then did US visits, with obvious and tangible benefits, have to be debated at length? Berrocal himself advocated extending the approval period to six months, after being advised by his staff that quarterly visit requests were not required. (NOTE: The quarterly schedule apparently became accepted practice in the past, although it is not specified in the official, gazetted version of the Joint Maritime Agreement or its implementing protocol.)

15. (SBU) The GOCR may make the visit request procedure even more flexible in the future. Arguedes and her staff are contemplating simple legislation which would "clarify" how the relevant portion of the 1949 constitution (Article 121, Section 5) would be applied in light of "modern" circumstances (the joint efforts against drugs, the long history of peaceful U.S. ship visits, etc.).

16. (SBU) COMMENT: These votes clear the way for ship visits until after the CAFTA referendum, which is good news by itself; if the new visit window leads to even less stringent visit approval requirements in the future, even better. (No one seems to have noticed that the period approved -- May 1-November 30, 2007 -- is actually seven months.) There are some technicalities we will have to manage, however. Although the Assembly approved visits through November, the ships listed are only those which might call from May-July. Berrocal did not want to wait for a full six-month list of U.S. vessels which might put into Costa Rican ports or operate in Costa Rican waters. Any U.S. vessel not on the approved list (of 14 USCG cutters and four USN frigates, see below) will require stand alone legislative approval to visit Costa Rica. Therefore, the more we can draw from the list of U.S. ships approved to visit Costa Rica in the May 17 vote,

the better. END COMMENT.

17. (U) For reference, the following are the U.S. ships approved by the National Assembly to visit Costa Rica or to operate in/near Costa Rican waters May 1-November 30, 2007:

| USCG                     | USN            |
|--------------------------|----------------|
| For port visits (9)      | For port       |
| visits (4):              |                |
| USCGC Munro              | USS            |
| Rodney M. Davis          |                |
| USCGC Morgenthau         | USS McCluskey  |
| USCGC Hamilton           | USS Halyburton |
| USCGC Harriet Lane       | USS            |
| Klakring                 |                |
| USCGC Gallatin           |                |
| USCGC Dallas             |                |
| USCGC Mohawk             |                |
| USCGC Legare             |                |
| USCGC Zephyr             |                |
| For area operations (5): |                |
| USCGC Northland          |                |
| USCGC Thetis             |                |
| USCGC Tahoma             |                |
| USCGC Escanaba           |                |
| USCGC Forward            |                |
| WEITZENKORN              |                |